

7037-438

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re continuation patent application of: )

Before the Examiner Woo

David R. Hathaway )

Group Art Unit 3731

Serial No. 10/008,781 )

Filed November 13, 2001 )

APPARATUS AND METHOD FOR )  
POSITIVE CLOSURE OF AN INTERNAL )  
TISSUE MEMBRANE OPENING )

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Thomas Q. Henry  
Name of Registered Representative

*Thomas Q. Henry*  
Signature

*February 18, 2002*  
Date of Signature

**SECOND**  
**PRELIMINARY AMENDMENT**

Hon. Assistant Commissioner of Patents

Washington, D.C. 20231

Sir:

Please enter the following Preliminary Amendment in the above-identified patent application. The Commissioner is hereby authorized to charge payment of any additional fees associated with this application or credit any overpayment to Deposit Account No. 23-3030.

**IN THE CLAIMS**

Please cancel claim 1.

Please add claims 37-52 as follows:

**WOODARD, EMHARDT, NAUGHTON, MORIARTY & MCNETT**  
PATENT AND TRADEMARK ATTORNEYSBANK ONE CENTER/TOWER  
111 MONUMENT CIRCLE, SUITE 3700  
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4-11  
#49**FAX COVER SHEET****FAX RECEIVED**NO. OF PAGES: COVER SHEET PLUS 7 PAGE(S)

FEB 19 2002

TO: Examiner Julian W. Woo, Group Art Unit 3731

**GROUP 3700**

FAX NO: 703-305-3590.

FROM: Thomas Q. Henry

DATE: February 18, 2002

**CONFIRMATION OF RECEIPT REQUESTED IF CHECKED.**

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